

Appl. No. 10/630,184
Amend. dated July 6, 2005
Reply to Office Action of December 27, 2004


REMARKS

In the Amendment filed April 15, 2005, in the present application applicant pointed out the patentable distinction from US Patent 5,091,171 to Yu et al (cited by Applicant and discussed in paragraph [0004]) of the specification since the advantages of the present invention are obtained with the claimed alkaline conditions whereas the skin care compositions of Yu et al contain an alpha-hydroxyacid or alpha-ketoacid and various amphoteric materials and are acidic in nature (the hydroxyacids or ketoacids generally indicate an acidic pH and alkaline pH is not disclosed for antiwrinkling effect). In this regard it is pointed out that in the Yu et al patent the composition of Example 6 with carnosine and a hydroxyacid is at at pH 4.5 for cosmetic and dermatologic conditions. Substantial undesirable side effects can be noted when skin is subjected to such acidic conditions. There is no guidance in the prior art to lead the artisan to an alkaline pH with the carnosine materials of the present claims.

In order to evidence the unexpected nature of the present invention, there is submitted herewith a Declaration under 37 C.F.R. 1.132 of applicant, Dr. Naina Sachdev evidencing that the alkaline composition of carnosine are dermatologically effective while the acidic ones is not.

It is respectfully requested that this application be reconsidered based upon the
25 Amendment of April 15, 2005 and the present submission and that Claims 1 and 3-8
be allowed. Should the Examiner have any comments or suggestions to resolve
outstanding issues he is invited to telephone the undersigned attorney in an effort to
resolve such issues.

Respectfully submitted,


Robert L. Stone
Attorney for Applicant
Reg. No. 22,272
732-254-2674

Att. Declaration under 37 C.F.R. 1.132

BEST AVAILABLE COPY